

AO 91 (Rev. 5/85) Criminal Complaint

United States District Court

DISTRICT OF Massachusetts

UNITED STATES OF AMERICA

V.

Charles Carrington
80 Woodbole Ave., #164, Mattapan, MA

CRIMINAL COMPLAINT

CASE NUMBER: 05M-1044-JGD

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about 12/28/04 in Suffolk county, in the District of Massachusetts defendant(s) did, (Track Statutory Language of Offense) by intimidation, take, from the person or presence of another, money in the possession of Bank of America, a federally insured bank.

in violation of Title 18 United States Code, Section(s) 2113(a).

I further state that I am a(n) FBI Special Agent and that this complaint is based on the following facts:

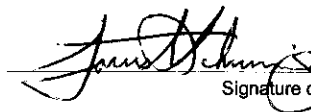
Official Title

See attached affidavit.

Continued on the attached sheet and made a part hereof:

☒ Yes

☐ No



Signature of Complainant

Sworn to before me and subscribed in my presence,

02-18-2005

Date

at

Boston, Massachusetts

City and State

Judith G. Dein
United States Magistrate Judge

Name & Title of Judicial Officer



Signature of Judicial Officer

AFFIDAVIT

I, Forrest Schoening, having been duly sworn, do hereby depose and state that:

1. I am a Special Agent ("SA") assigned to the Boston office of the Federal Bureau of Investigation ("FBI") and have been so assigned since January of 2003. I am currently assigned to the Violent Crimes Task Force ("Task Force"), which comprises personnel from the FBI, Massachusetts State Police, Boston Police, Cambridge Police, and Malden Police. I have been involved in numerous investigations involving bank robberies and other violent crimes.

2. I am aware that Title 18, United States Code, Section 2113(a), makes it a crime for anyone to use force and violence, or intimidation, to take, from the person or presence of another, money belonging to or in the care, custody, control, management or possession of any bank insured by the Federal Deposit Insurance Corporation. I make this affidavit in support of a criminal complaint charging Charles L. Carrington, date of birth: June 24, 1966, social security account number: 025-56-2853, with one count of bank robbery in violation of Title 18, United States Code, Section 2113(a).

3. The facts stated herein are based on my own review of Boston Police reports and FBI reports pertaining to this investigation. In submitting this affidavit, however, I have not

included each and every fact known to me about this investigation, but only those facts which I believe are sufficient to establish the requisite probable cause.

4. On December 28, 2004, at approximately 9:20 a.m., a black male entered the Bank of America at 315 Centre Street, Jamaica Plain, Massachusetts. He approached a teller and stated, "Listen, I know you have a guard with a gun outside. Give me your hundreds, fifties, and twenties, and hurry up!" The teller opened her drawer but activated the alarm before giving the suspect any money. The suspect became angry and accused the teller of pulling the alarm. The suspect then reached under the teller window and grabbed the money that the teller had taken out and ran out of the bank, with a bank customer, Jose Yurnet, in pursuit. Jose Yurnet observed the suspect enter the passenger side of a box truck bearing Massachusetts registration 125949.

5. Jose Yurnet ("Yurnet") was inside the bank when the robbery occurred. Yurnet recalls seeing the suspect, whom he described as a black male, 6' to 6'1", heavy, and wearing a black or dark blue coat and a hat with white stripes, standing in a teller's line. The suspect turned and looked at Yurnet and then faced back towards the teller. Yurnet recalls that the suspect kept his hands in his pockets the whole time. When the suspect was exiting the bank, Yurnet saw him running towards the exit with his hands in his pockets. When Yurnet observed a teller

crying, he realized that a robbery had just occurred. Yurnet chased after the suspect and observed him getting into the passenger side of a box truck with Massachusetts registration 125949. Yurnet typed the registration into his cell phone so that he would not forget it. Yurnet then provided the registration number to Boston Police officers who had arrived on the scene shortly after the suspect vehicle departed. The officers then radioed the plate number and the direction of travel to responding police units.

6. Responding Boston Police officers Hicks and Fencer spotted the truck driving on Centre Street heading away from the bank, consistent with the direction of travel described by witness Yurnet. The officers confirmed the registration and noticed that the truck had the lettering "Norfolk Hardware Inc." on the side. A motor vehicle stop was conducted and the driver and passenger were ordered from the truck. The passenger was identified as Charles Carrington and the driver was identified as Alex Hernandez. Both suspects were placed into custody. After the suspects were secured, Officer Hicks looked inside the passenger compartment and observed a black jacket on the passenger side seat. In plain view Officer Hicks could see a stack of cash inside one of the jacket pockets. The money was later retrieved and the total amount was \$1,810.

7. A witness to the robbery, Felizberta Monteiro,

Assistant Bank Manager, was brought to the scene of the motor vehicle stop for a show-up identification, where she positively identified Charles Carrington as the robber.

8. The owner of Norfolk Hardware Inc., Donald Doucette, was contacted and confirmed that both suspects worked for him. Doucette stated that Alex Hernandez normally works by himself but today Doucette assigned Carrington to work with him.

9. Both suspect were arrested and transported to a Boston Police station. Suspect Alex Hernandez agreed to speak with detectives. Hernandez gave a detailed statement and denied any knowledge of the robbery, explaining that while he and Carrington were making deliveries, Carrington had asked him to take him to a bank so that he could cash a check. Hernandez stated that he stayed in the truck while Carrington went into the bank. A short time later he looked in his rear view mirror and noticed Carrington sprinting toward the truck. When Carrington got into the truck, Hernandez asked him why he was running. Carrington simply stated that he wanted to see how fast he could run. Hernandez explained that as he drove away he heard sirens. At that point he figured that something had happened involving Carrington. Just before being pulled over Hernandez saw Carrington take off his jacket, fold it, and place it in between the driver's and passenger's seat.

10. Carrington initially declined to be interviewed but

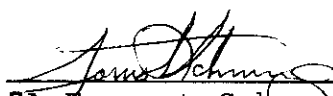
later changed his mind and asked to speak to the detectives. Carrington's interview was audiotaped. Carrington gave a detailed statement and confessed to committing the robbery. Carrington also stated that Hernandez had nothing to do with the robbery and corroborated Hernandez's story. Carrington explained that he told Hernandez that he needed to go to a bank to cash a check. Carrington told detectives that he had made some mistakes in his life but had been doing well until he began smoking crack cocaine recently. Carrington stated that he began smoking crack again because he was bored and was having a difficult time with family responsibilities, including illnesses that his mother has. Carrington stated that he had been borrowing money from his co-workers and his drug dealer to support his drug habit. Carrington stated that he owed his dealer \$170 and was worried about paying back all the money that he owed. He further stated that what he had done was stupid and that he needed help. He also expressed his remorse for robbing a pregnant teller.

11. An audit conducted by bank personnel revealed that \$1,820 was taken during the robbery.

12. The deposits of Bank of America are insured by the Federal Depository Insurance Corporation.

13. Based on the information set forth above, and my training and experience as a special agent, I believe that there is probable cause to conclude that on December 28, 2004, Charles

Carrington, by force and violence, or by intimidation, took from the person and presence of employees of Bank of America, 315 Centre Street, Jamaica Plain, MA, money belonging to and in the custody, control, management, and possession of Bank of America, a federally insured financial institution, in violation of Title 18, United States Code, Section 2113(a).


SA Forrest Schoening
Special Agent
Federal Bureau of
Investigation
Boston, Massachusetts

Subscribed and sworn to before me this eighteenth day of February, 2005.


Judith G. Dein
United States Magistrate Judge

JS 45 (5/97) - (Revised USAO MA 3/25/02)

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: _____ Category No. II Investigating Agency FBICity Boston Related Case Information:County Suffolk Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New Defendant X
Magistrate Judge Case Number _____
Search Warrant Case Number _____
R 20/R 40 from District of _____**Defendant Information:**Defendant Name Charles Carrington Juvenile ☐ Yes ☒ No

Alias Name _____

Address 80 Woodbole Ave., #164, Mattapan, MABirth date: 1966 SS#: *** ** 2853 Sex: M Race: B Nationality: U.S.A.

Defense Counsel if known: _____ Address: _____

Bar Number: _____

U.S. Attorney Information:AUSA William H. Connolly Bar Number if applicable 634501Interpreter: ☐ Yes ☒ No List language and/or dialect: _____Matter to be SEALED: ☐ Yes ☒ No☒ Warrant Requested ☐ Regular Process ☐ In Custody**Location Status:**

Arrest Date: _____

☐ Already in Federal Custody as _____ in _____☒ Already in State Custody _____ ☐ Serving Sentence ☒ Awaiting Trial☐ On Pretrial Release: Ordered by _____ on _____Charging Document: ☒ Complaint ☐ Information ☐ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 1

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: 2/18/05 Signature of AUSA: William H. Connolly

JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy _____)

Name of Defendant Charles Carrington

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. 2113(a)</u>	<u>Bank Robbery</u>	<u>1</u>
Set 2	_____	_____	_____
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: _____

District Court Case Number (To be filled in by deputy

Name of Defendant Charles Carrington

JS 45.wpd - 3/13/02